

UNITED STATES OF AMERICA	*	IN THE
Plaintiff	*	UNITED STATES
v.	*	DISTRICT COURT
DANIEL D. RODRIGUEZ	*	OF MARYLAND
Defendant	*	CASE NO. 19-MJ-1097

\* \* \* \* \*

**MOTION FOR MODIFICATION OF PROBATION**

The Defendant, DANIEL D. RODRIGUEZ, by and through his attorneys, Michael T. Ott and Murnane & O'Neill, hereby moves this Honorable Court for a modification of the probation imposed in the above-captioned case and as reasons in support thereof states as follows:

1. That on June 14, 2019, the Defendant appeared before the Honorable Magistrate Beth P. Gesner in the United States District Court of Maryland and was provided the benefit of probation before judgment as it pertains to the charge of Driving Under the Influence of Alcohol. The Defendant was placed on supervised probation for a period of eight (8) months without any period of active incarceration.

2. That at the time of sentencing, the Honorable Magistrate Beth P. Gesner placed the Defendant on eight (8) months of supervised probation in order to avoid any conflict with the Defendant's military deployment in March 2020. Attached hereto is verification of the Defendant's military orders.

3. That shortly after sentencing, the Defendant was

notified by his commanding lieutenant that the Defendant would not be eligible for his March 2020 deployment if the Defendant was on supervised probation.

4. That the Defendant is required to participate in training prior to his March 2020 deployment.

5. That prior to receiving probation before judgment in the above-captioned case, the Defendant had not ever been found guilty of any criminal or serious traffic violation.

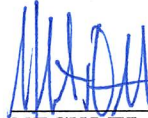
6. That Defendant does not have any pending criminal or traffic matters.

7. That the Defendant could provide the court proof of completion for the victim impact panel and substance abuse evaluation in lieu of supervised probation.

8. That Defense Counsel is respectfully requesting this Honorable Court to reduce the Defendant's probation to four (4) months to avoid a conflict with his military commission or alternatively, allow the Defendant to be placed on unsupervised probation.

WHEREFORE, the Defendant moves this Honorable Court for a modification of the probation imposed in the above-captioned matter.

Respectfully submitted,



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MICHAEL T. OTT  
Murnane & O'Neill  
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Suite 200  
Glen Burnie, Maryland 21061  
[Mike@murnaneandoneill.com](mailto:Mike@murnaneandoneill.com)  
#1706200139  
(410) 761-6800  
Attorneys for Defendant

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 19, 2019, a copy of the foregoing Motion For Modification Of Probation was sent via electronic filing using the PACER System to the United States Attorney, United States Attorney's Office.



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MICHAEL T. OTT

1131  
24 SEP 18


From: President, FY19 Information Warfare Community Direct  
Commission Officer Professional Review Board (SEP2018)  
To: Commander, Navy Recruiting Command (N36)  
Via: Commander, Naval Information Forces Reserve  
  
Subj: FY19 INFORMATION WARFARE COMMUNITY (1805/1815/1825/1835) DIRECT  
COMMISSION OFFICER PROFESSIONAL REVIEW BOARD RESULTS (SEP2018)

Ref: (a) COMNAVCRUITCOMINST 1131.2G CH1

1. Per reference (a), a professional review board consisting of ten 1805/1815/1825/1830/1835 officers reviewed 126 packages, three of which were determined to be ineligible (see paragraph 8 below). 62 candidates were professionally recommended for commissioning.

2. The professional review board utilized a "best fit" approach when recommending candidates for the various Information Warfare Community (IWC) designators. Based on this approach, a candidate may have been recommended for a designator which was not the candidate's primary community preference but the professional review board determined the presented skills were a better fit for the community for which they were ultimately recommended. Particular emphasis was also given to the "whole person" concept, demonstrated or potential leadership as well as verified success with respect to coursework in Science, Technology, Engineering, and Mathematics (STEM).

3. The following was considered an OUTSTANDING candidate and was **RECOMMENDED** as an **Oceanography** (1805) Reserve Officer. The recommended applicant possessed the following general attributes: demonstrated leadership (military/civilian), strong and well-written motivational statement, outstanding interviews and recommendations, specific relevant Meteorology and Oceanography educational background and experience.

 NRD SAN DIEGO

1805

4. The following were considered OUTSTANDING candidates and were **RECOMMENDED** as **Cryptologic Warfare** (1815) Reserve Officers. Recommended applications possessed the following general attributes: leadership potential (military/civilian), strong motivational statement, outstanding appraisals, letters of recommendation, related degree or experience (Computer Science, Engineering, advanced Cyber-related degree or alternatively advanced Foreign Language), Cryptologic Warfare/IWC-related job experience, and security clearance eligibility.

 NRD SEATTLE

1815

Subj: FY19 INFORMATION WARFARE COMMUNITY (1805/1815/1825/1835) DIRECT  
COMMISSION OFFICER PROFESSIONAL REVIEW BOARD RESULTS (SEP2018)

[REDACTED]	NRD SAN FRANCISCO	1815
[REDACTED]	NRD HOUSTON	1815
[REDACTED]	NRD RICHMOND	1815
[REDACTED]	NRD NEW ORLEANS	1815
[REDACTED]	NRD DALLAS	1815
[REDACTED]	NRD RICHMOND	1815
[REDACTED]	NRD MINNEAPOLIS	1815
[REDACTED]	NRD PORTLAND	1815

5. The following were considered OUTSTANDING candidates and were **RECOMMENDED** as **Information Professional** (1825) Reserve Officers. Recommended applications possessed the following general attributes: leadership potential (military/civilian), demonstrated superior performance in a current/previous Information Management/Technology/IWC-related occupation (Radio Frequency (RF) technology or Shipboard Command, Control, Communications, Computers, Intelligence (C4I), Cyber Security / Information Assurance), technical degrees (particularly STEM related), relevant industry certifications (e.g. CCNA, Security+), security clearance eligibility, strong and well-written motivational statements, outstanding interviews and recommendations.

[REDACTED]	NRD MINNEAPOLIS	1825
[REDACTED]	NRD RICHMOND	1825
[REDACTED]	NRD RICHMOND	1825
[REDACTED]	NRD SAN DIEGO	1825
[REDACTED]	NRD ST LOUIS	1825
RODRIGUEZ-RAMIREZ, DANIEL D	NRD RICHMOND	1825
[REDACTED]	NRD SAN DIEGO	1825
[REDACTED]	NRD SAN FRANCISCO	1825
[REDACTED]	NRD NEW ENGLAND	1825

6. The following were considered OUTSTANDING candidates and were **RECOMMENDED** as **Intelligence** (1835) Reserve Officers. Recommended applications possessed the following general attributes: leadership potential (military or civilian), demonstrated superior performance in current/previous occupations, advanced education (preferred fields of study including International Relations, Language/Regional Focus, Political Science, History, STEM), intelligence/IWC-related/analytical work experience, security clearance eligibility, strong and well-written motivational statements with articulation of how their skillset directly applies to Naval Intelligence, outstanding interviews and recommendations.

[REDACTED]	NRD HOUSTON	1835
[REDACTED]	NRD CHICAGO	1835
[REDACTED]	NRD SAN FRANCISCO	1835
[REDACTED]	NRD RICHMOND	1835
[REDACTED]	NRD DENVER	1835
[REDACTED]	NRD DENVER	1835

**Rodriguez-Ramirez, Daniel D CIV (USA)**

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**From:** [REDACTED] USSOCOM NAVSOC NSWST18 [REDACTED]  
**Sent:** Wednesday, May 22, 2019 4:24 PM  
**To:** Rodriguez-Ramirez, Daniel D CIV (USA)  
**Cc:** [REDACTED] NAVSOC NSWST8; [REDACTED]  
**Subject:** RE: Joint C4I Training Opportunities Inquiry - Follow up  
**Signed By:** [REDACTED]

**Categories:** Orange Category

Danny,

I am tracking and spoke with LCDR [REDACTED] at the TRIDENT MPE, your mobilization and potential support to TU3 will have to be worked through OPS channels. FYSA, this may be a challenge since all mobilizations are being shifted to support TF-2. MTF as we dig into it.

On your school request,

I need all of the info on this school request in order to support orders writing. I notice there was a note about SF-182 requirements. If this course has to be paid for with OPTAR then it is going to be challenging, but we will work to get a solution.

VR,

LT [REDACTED]  
ST18 Training Officer  
757-763 [REDACTED]

ST-18 N32 Portal:  
[https://private.navyreserve.navy.mil/NSWG-11/Seal\\_Team\\_Eighteen/n3/n32/SitePages/Home.aspx](https://private.navyreserve.navy.mil/NSWG-11/Seal_Team_Eighteen/n3/n32/SitePages/Home.aspx)

-----Original Message-----

**From:** Rodriguez-Ramirez, Daniel D CIV (USA) [REDACTED]  
**Sent:** Wednesday, May 22, 2019 1:01 PM  
**To:** [REDACTED] USSOCOM NAVSOC NSWST18 [REDACTED]  
**Subject:** Joint C4I Training Opportunities Inquiry - Follow up

LT,

I hope this message reaches you well.

As a follow up, I have been encouraged to reach out to you in regards to supporting ST-8. The below message serves as a proactive approach to training however, I would like to know if we could have a quick phone conversation in order to discuss further details.  
Please advice.

V/r

UNITED STATES OF AMERICA	*	IN THE
Plaintiff	*	UNITED STATES
v.	*	DISTRICT COURT
DANIEL D. RODRIGUEZ	*	OF MARYLAND
Defendant	*	CASE NO. 19-MJ-1097
* * * * *	*	* * * * *

**ORDER**

The Defendant's Motion For Modification Of Probation having been read, filed and considered; it is thereupon this \_\_\_\_ day of \_\_\_\_\_, 2019, by the United States District Court of Maryland;

**ORDERED**, that the Defendant's Motion For Modification Of Probation shall be **GRANTED** as follows.

\_\_\_\_\_ The Defendant's probation shall be reduced to four (4) months of supervised probation.

\_\_\_\_\_ The Defendant's probation shall be modified to eight (8) months of unsupervised probation.

\_\_\_\_\_  
JUDGE